Tribal Nonpoint Source (NPS) Program Overview

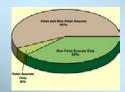
Mitra N. Jha NPS Tribal Coordinator (303) 312-6895 EPA Region 8

Objective of Presentation:

- Describe EPA Nonpoint Source (NPS) Tribal Program
- Provide Feedback for NPS 319 Program Process
- NPS Program at Region 8

NPS Impacts on Water Quality

NPS is important cause of impairment



NPS Management Goal

- NPS programs control NPS pollution
- Implementation of management measures and practices
- Reduce pollutant loadings
- Identified in NPS assessment report
- Address each category -subcategory

Tribal Nonpoint Source Program

- Clean Water Act, Section 319 enables states, territories, and tribes
 - -Address the NPS pollution problems
- · Section 518 authorized EPA
 - -to treat federally recognized Indian
 Tribes in the same manner as states

Congressionally Authorized Funding

- Under CWA Section 518 and 319
- · Awarded to Tribes of 1/3 of 1 percent
- Congress increased funding \$330,000 in FY 1997 to \$6 million in FY 2001- 2003.
- In FY 2004 -2006, funding to Tribes to \$7,000,000.

CWA Section 319 National Program Facts

- Participating Tribes have increased from 11 to 114 during 1997 to 2006,
- Represent 75% of all tribal land
- Approximately 40 million acres
- In 2005, 12 new Tribes joined the program
- Approval of additional programs is expected in 2006



Funding for Tribal CWA Section 319 Programs

- · Base grant
 - \$30,000 for Tribes with 1,000 sq.miles or less
 - \$50,000 for Tribes with <1,000 square miles
- Competitive grants
 - Up to \$150,000 to implement on-the-ground water quality improvement projects
 - Funds require a 40 percent non-federal match. This amount can be reduced to 10 percent in cases of undue financial hardship.

Available Grants for 2007

- EPA will award a total of \$6,900,000 to eligible Tribes
- Allocation similar- distributed in FY 2006
- Base grants to 114 Tribes
- 28 Tribes through a competitive process.

Guidelines for Awarding 319 Grants to Indian Tribes

- EPA publish guidelines in Federal Register
- · Last seven years
- Approved NPS Assessment Report
- · Management Program Plan and
- TAS needed to be eligible for 319 grants
- Status as of October 13, 2006

NPS Assessment Report

- Describe NPS related water quality problems
- Identify the nature, extent, causes, and effects on NPS pollution
- Describe programs and methods needed for controlling the pollution

NPS Management Program

- A multiyear strategy document
- Designed to bring NPS pollution under control
- Describes how to correct or prevent NPS problems
- Identifies reservation-wide and watershedlevel projects
- Implement management practices for pollution prevention

-	

Tribal Eligibility

(CWA Section 518(e))

A Tribe must demonstrate:

- · Federal recognition
- Substantial governmental duties and powers
- · Capability to carry out program
- Legal authority and jurisdiction
 - → Essentially the same as CWA Section 106 TAS/FAE.

Federal recognition

 Tribe must be Federally recognized by the Secretary of the Interior.

46328

ederal Register/Vol. 67, No. 134/Friday, July 12, 2002/Notice

DEPARTMENT OF THE INTERIOR
Sureau of Indian Affairs
Indian Entities Recognized and Eligible
To Receive Services From the United
States Russes of Indian Affairs

Interior.
ACTION: Notice.

SUMMAY: Notice is hereby given of the current list of 502 tribal entities recognized and eligible for funding and services from the library of Indian.

acloded with the new tribal name. We will continue to list the tribe's former name for several years before dropping and to former name for several years before dropping to be former name from the list. We have also made several corrections. To aid it coentifying corrections, the tribe's severously listed name is included with the tribal name. The listed entities are acknowledged to have the immanisties and privileges

The listed entities are acknowledged to have the immunities and privileges acknowledged lind in these listed and acknowledged lind in these by virtue of their government-cognerorment relationship with the United States as well as the responsibilities, powers, limitaties and obligations of such Big Sandy Rancheria of Mono Indians of California

Big Valley Band of Perno Indians of the Big Valley Rancheria, California Blackfeet Tribe of the Blackfeet Indian Reservation of Montana Blue Lake Rancheria, California Bridgeport Paiute Indian Golony of

Basena Vista Karchevia of Me-Wuk Indiana California Burma Paiute Tribe of the Burna Paiute Indian Colony of Oregon Cabazon Band of Cabullia Mission Indiana of the Cabazon Reservation. California

Tribal government

- Statement describing how the governing body carries out its duties and powers.
 - Constitution
 - · Articles of incorporation
 - Codes
 - Ordinances
 - Resolutions



Capability

- Tribes capability to administer programs.
- Previous and current managerial experience
- Evidence of environmental and public health concerns
- Existing and proposed staff resources
- Description of accounting and procurement systems

Tribal Jurisdiction

- Tribes jurisdiction over the water resources on the reservation.
- Maps of the reservation and of waters
- Executive Order, Treaties, or Acts Congress established the reservation
- Ordinances or other documents
- Authority comparable to Section 504 of the Clean Water Act

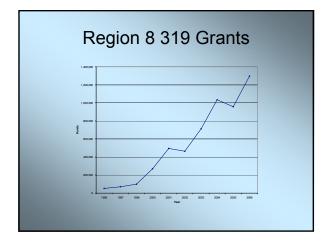
EPA Region 8 Tribal Commitments

- Assiniboine & Sioux Tribes/Fort Peck
- Southern Ute Indian Tribe
- Blackfeet
- Confederated Salish & Kootenai/ Flathead
- Chippewa-Cree Tribe/Rocky Boy's
- Crow
- Cheyenne River Sioux
- Gros Ventre and Assiniboine/Fort Belknap
- Northern Cheyenne Tribe
- Flandreau Santee Sioux
- · Ute Mountain Ute Tribe
- Turtle Mountain Band of Chippewas
- · Lower Brule Sioux Tribe
- Spirit Lake Nation/Fort Totten

_			
_			
_			
_			
_			
_			
_			
_			
_			
_			
_			
_			
_			
_			
_			
_			
_			

Region 8 Tribes working toward 319 TAS

- · Oglala Sioux Tribe
- Sisseton-Wahpeton Oyate Lake Traverse Reservation
- · Northern Arapaho Tribe Wind River Reservation
- · Standing Rock Sioux Tribe
- · Yankton Sioux Tribe



R8 CWA Section 319 Funded Activities

- Implementation of Tribal NPS Management Programs
- Implementation BMPs in watersheds
- Local coordination and planning of watershed projects

R8 CWA Section 319 Funded Activities (continued)

- Information and education outreach
- Water quality monitoring for NPS assessments and watershed projects
- · Measure environmental results
- Watershed-Based Plans Development
- Implementation

R8 Overall Objectives of NPS Program

- Identify Reservation's NPS problem
- Revise NPS Assessment Report and Management Program Plan
- Develop Watershed Plan for the Reservation
- Develop partnership for funding and other resources
